

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**Rachel Marschner,
A.S.,**

Civil No. 06-460 (PJS/JJG)

Plaintiffs,

v.

ORDER

Sheldon Mark Sacher,

Defendant.

This matter is before the undersigned on the report and recommendation of the United States Magistrate Judge. No objections have been filed to that report and recommendation in the time period permitted. Based on the report and recommendation of the Magistrate Judge, and being advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Sacher's motion to dismiss, or in the alternative, for summary judgment (Doc. No. 121) is **GRANTED**.
2. The remaining claim in this litigation is **DISMISSED WITH PREJUDICE** and this matter is closed in its entirety.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 25, 2008.

s/Patrick J. Schiltz

Patrick J. Schiltz
United States District Judge